

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

SHANSHAN ZHAN

PLAINTIFF

VS.

CIVIL ACTION NO. 3:14cv777-CWR-FKB

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)

DEFENDANT

ORDER DENYING PLAINTIFF'S MOTION FOR AN APPOINTED ATTORNEY

This cause comes before the Court on Plaintiff's Motion for an Appointed Attorney [2] to represent her in this civil case, in which she has paid the filing fee and is not proceeding *in forma pauperis*. For the reasons set forth below, this motion is **denied**.

There is no statutory authority for appointment of counsel in this civil case even if Plaintiff is allowed to proceed *pro se*. Further, there are no federal funds available to pay such appointed counsel and the court would only appoint involuntary counsel under exigent circumstances. The *pro se* plaintiff certainly has no automatic right to counsel. Salmon v. Corpus Christi Independent School District, 911 F.2d 1165 (5th Cir. 1990)(citing Ulmer v. Chancellor, 691 F.2d 209, 212 (5th Cir. 1982)). Assuming the case is meritorious, it is potentially fee-producing and counsel could be obtained on a contingency basis.

IT IS, THEREFORE, ORDERED that Plaintiff's Motion for an Appointed Attorney is denied.

SO ORDERED, this the 7th day of October, 2014.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE